

SUPPORT FOR THE AMENDMENTS

Claims 3, 4, 11, and 12 have been canceled.

Claim 1 has been amended.

Claims 13-15 have been added.

Claim 1 has been amended to recite the limitations, in part, of originally filed Claims 3 and 4. New Claims 13-15 are supported by at least page 6, lines 14-18, page 14, lines 19-23, and the Examples.

No new matter has been added by the present amendments.

REMARKS

Claims 1, 2, 5-10, and 13-15 remain pending.

The rejection of Claims 1, 3-4 and 7 under 35 U.S.C. §102(b) over Mignone et al (WO 2001/36482) is respectfully traversed.

Mignone et al is cited as disclosing a method that the Examiner alleges is the same as that previously claimed where the stem cells are progenitor stem cells for brain (nerve) tissue. Applicants make no statement with respect to the propriety of this ground of rejection and in no way acquiesce to the same. Nonetheless, to expedite examination of this application, Applicants have amended Claim 1 to recite, in part, the limitations of Claim 4, such that amended Claim 1 recites that stem cells are progenitor stem cells for a tissue selected from the group consisting of skin, heart, and bone tissues. Mignone et al fails to disclose progenitor stem cells for any of these tissues. Accordingly, Applicants submit that this ground of rejection is moot.

Withdrawal of the rejection is requested.

The rejection of Claims 1, 3, and 7 under 35 U.S.C. 102(b) over DiMario et al. (Experimental Cell Research, 1995) is obviated by amendment.

Applicants make no statement with respect to the propriety of this ground of rejection and in no way acquiesce to the same. Nonetheless, to expedite examination of this application, Applicants have amended Claim 1 to recite, in part, the limitations of Claim 4, which the Examiner acknowledges as being free from the disclosure of DiMario et al. Accordingly, Applicants submit that this ground of rejection is moot.

Withdrawal of this ground of rejection is requested.

The rejections of Claims 1-12 under 35 U.S.C. §102(b) and/or under 35 U.S.C. 103(a) over Reid et al (U.S. 6,609,005) is obviated by amendment.

Reid et al disclose methods for isolating hepatocytes and treating liver dysfunction or forming artificial livers with these hepatocytes. Applicants make no statement with respect to the propriety of this ground of rejection and in no way acquiesce to the same. Nonetheless, to expedite examination of this application, Applicants have amended Claim 1 to recite, in part, the limitations of Claim 4, such that amended Claim 1 recites that stem cells are progenitor stem cells for a tissue selected from the group consisting of skin, heart, and bone tissues. Reid et al fails to disclose progenitor stem cells for any of these tissues. Accordingly, Applicants submit that this ground of rejection is moot.

Withdrawal of these grounds of rejection is requested.

Applicants submit that the present application is now in condition for allowance. Early notification of such action is earnestly solicited.

Respectfully submitted,

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